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12 GOOGLE INC.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

16 ORACLE AMERICA, INC.,

17 Plaintiffs,

18 v.  
19 GOOGLE, INC.,  
20 Defendant.

**Case No. 3:10-cv-03561 WHA**  
**DECLARATION OF EDWARD A.**  
**BAYLEY IN SUPPORT OF ORACLE'S**  
**ADMINISTRATIVE MOTION TO FILE**  
**UNDER SEAL PORTIONS OF ITS**  
**RESPONSE RE: ECF NO. 1349**

21 Dept. Courtroom 8, 19<sup>th</sup> Fl.  
Judge: Hon. William Alsup

I, EDWARD A. BAYLEY, declare as follows:

1. I am an attorney licensed to practice law in the State of California and am an associate at the law firm of Keker & Van Nest LLP, counsel to Google Inc. (“Google”) in the above-captioned action. I submit this declaration in support of Oracle’s Administrative Motion to File Under Seal Portions of Its Response RE: ECF No. 1349. Dkt. No. 1363. I have knowledge of the facts set forth herein, and if called upon as a witness, I could testify to them competently under oath.

2. The redacted portions of Oracle’s Response to Court’s Order re Damages Studies, Dkt. No. 1364, contain Google’s sensitive, non-public financial data, such as revenues associated with Android. This includes the redacted material at 2:11-16. Public disclosure of this information would cause great and undue harm to Google and place it at a competitive disadvantage. The Court has previously granted Google’s requests to file under seal similar financial information. *See, e.g.*, Dkt. No. 935, Dkt. No. 1056, Dkt. No. 1122. These selections should therefore be filed under seal.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

Executed this 13th day of November, 2015 at San Francisco, California.

By: /s/ Edward A. Bayley  
EDWARD A. BAYLEY